ed. However, the matter stands closed and I express my regrets for the same.

THE VICE-CHAIRMAN (SHRI R. RAMAKRISHNAN): In the highest tradition of this House of Elders, the matter is closed.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

Mysterious dsappearance of two Merchant Ships in the Bay of Bengal

SHRI LAL K. ADVANI (Madhya Pradesh): Mr. Vice-Chairman Sir, I call the attention of the Minister of Shipping and Transport to the mysterious disappearance of two merchant ships—"MV Nitya Nanak" and "MV Nitya Ram" registered with the Maini Shipping Company Private Limited in the Bay of Bengal with a crew of 44 on the board the two ships in June last and the action taken by Government in the matter.

THE MINISTER OF STATE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI Z. R. ANSARI). Sir, two vessels m.v. 'Nitya Nanak' and m.v. 'Nitya Ram' belonging to Maini Shipping Company. Bombay have been without radio contact since the 21st of June, 1985 and are presumed missing at sea.

M.V. 'Nitya Nanak' was commanded by Capt. K. D. Puri, Senior Master and had a crew of 23 persons. The vessel sailed from Kandla on 5.6.85 for Calcutta with a cargo of 5440 tons of salt. After touching Colombo for supplies and repairs to its communication equipment and the radar, the vessel left Colombo on 18/19 June, 1985 for Calcutta. On 20th June in the afternoon the Master sent a message to his owners stating that fresh holes had developed in No. 1 hold and water was gushing in. On 21st June at about 08.80 hrs. the vessel radioed to the owners that there was some ingress of water into one of the holes and the Captain had decided to make—for Madras. The position of the vessel at this point of time was about 90 nautical miles east north-east of Trincomalee. No further message was received from the ship thereafter. The vessel did not reach Madras and on 26th June, 1985 the owners through their agents informed the Principal Officer, Mercantile Marine Department, Madras, about the disappearance of the ship. On further inquiry it was noted that the Master had also sent a message on 12th June also stating that there were two leaks below water level.

M. V. 'Nitya Ram' left Calcutta on 17-6-85 for Tuticorin with 5182 tons of coal. The vessel was commanded by Capt. Sharma and had a crew of 21 persons. At about 10.00 hrs. on 18-6-1985 this vessel reported by radio message to owners that there was some ingress of water into one of its holds. However at about 09.20 hrs. on 21st June the Master informed the owners that he had been able to cope up with the ingress of water and was proceeding to Tuticorin. The expected date of arrival at Tuticorin was 25th June, 1985, but when this vessel also did not reach on 27th June, the agents informed the Principal Officer, Mercantile Marine Department, Madras, on 28th June, 1985.

Searches and rescue operations were put into operation on the 27th June, 1985, onwards and ships of the Coast Guard and Indian Navy steamed on the track which these two vessels would have taken. In addition, ships in the vicinity were requested to keep a sharp look out for these ships or for any life boats, etc. As the above searches did not yield any result, the Naval aircrafts were also pressed into service and an extensive area of a radius of 200 nautical miles around the area from where the ships were reported missing was searched but no trace nor any wreckage was found upto 6th July when the aerial search was suspended.

[Shri Z. R. Ansari]

The Director General of Shipping alerted the Ports of the East Coast and the Andaman & Nicobar Islands to keep a look-out for any sign of debris from these two ships. Our missions in Bangladesh, Maldives, Sri Lanka and Singapore were also requested to approach the local authorities for information on these two vessels.

The Director General of Shipping after declaring the two vessels as presumed missing at sea ordered a statutory enquiry under Section 360 of Merchant Shipping Act on 15-7-85 and as provided under the said Act has moved the Chief Metropolitan Magistrate, Bombay, to conduct an enquiry into the casualty. The primary objective of this statutory enquiry is to throw light on the cause of the casualty and to consider steps to prevent such casualties in future.

Perusal of certain documents obtained during the course of investigations by the Director General of Shipping specially those relating to the radio messages exchanged between the m.v. Nitya Nanak and the owners of the vessel through the Madras Coastal Radio Station of P&T working on the maritime bands, revealed that in spite of three radio messages about leaking ship and water entering the holes, a reply message was sent by he owner of the vessel on 22-6-85 through postal radio to the Master that he was relying on him to make it to Calcutta direct. This message from owners could not be transmitted as ship had lost radio contact. The owners of the vessel were aware of the fact that fresh holes had developed in the vessel and the difficult condition that m.v. Nitya Nanak was placed in. The action of the owners in directing the ship to proceed to Calcutta showed callousness and criminal negligence. Besides that at this stage it was incumbent on the owners to inform the authorities under Section 358 of the Merchant Shipping Act of the difficult position the ship was in. The delay in intimation to the statutory authorities in charge of safety of life at sea for 5 days caused the delay in commencing search and rescue operations immediately after the disaster.

Further enquiry revealed that the owners were aware of the defective main transmitter when the vessel was in Colombo. The same could not be repaired due to lack of spare parts. This aspect also was not reported to the authorities.

Government are of the view that the owners had not exercised due care in the matter. Accordingly, Director General of Shipping has lodged an FIR with the Central Bureau of Investigation to investigate the criminal negligence of the owners.

The International Maritime Bureau, London, had also been approached to carry out investigations to determine if there is a prima facie case of fraud in the matter. That agency are however of the view that in as much as both the casualties involve the disappearance of the entire crew and no other information has surfaced, no useful purpose will be served by commercial investigations at this stage. However, the IMB has agreed to keep the Government of India informed of developments in this case which they may come across.

In view of the casualties suffered by the two ships of Maini Shipping Company at the same time, the remaining three ships and three inland barges of this owner have been brought into Port and are under investigation to ensure that they are maintained in a sea-worthy state.

I fully share with the members of this House and the relations of the crew, their grief, anxiety and anguish regarding the whereabouts of the crew members of these two vessels.

SHRI LAL K. ADVANI: Sir, in the last paragraph the Minister has shared with the House his feeling of anguish at the fate that has befallen the families of those who were on board these ships. I wish that during

the last 1½ or 2 months that these ships have been missing, this anguish and concern had been reflected even in action.

Sir, a grim tragedy took place in the month of June over the Atlantic which sent shock waves all over the world. An aircraft proceeding from Canada to Britain lost contact and the moment it lost contact with the ground services, a search was made for the missing aircraft. No efforts were spared. A high-power team was despatched from India to Ireland to pursue the whole matter. I am sure that, though all the passengers and the crew, 329 in all, lost their lives, and many families were bereaved and grieved because of that tragedy, none of them has any complaint about the Government not taking any action.

In this particular case, another tragedy occurred, also in June, concerning these two ships. That was a missing aircraft and these were the missing ships. And, Sir, look at the difference in the response. In this statement which the Government has made, for the first time, Sir, it has very categorically accused the owners of criminal negligence. For the first time I am seeing such a statement. At least till now I have not seen any such statement. Till now, Sir, all the questions that have been raised in this House have evoked simply matter of-fact statements that the ships have been lost. Today, the Government has come out with a statement that an FIR has been lodged, that there has been criminal negligence, that they did not do this and they did not do that, that even though the transmitters were not working, they did not take care, etc., etc.

So far as the conduct of the owners is concerned, it has been no doubt callous and criminal. But I am sorry to say that the shipping authorities also, the Director-General of Shipping, the Mercantile Marine Department, have also been guilty of irresponsibility, tardiness, and callous sluggishness. The manner in which they have moved in the matter requires an explanation. Towards the end of my remarks, Sir, I will put certain specific questions to the Minister and I would expect him to answer because, if he is unable to answer those questions, then I would accuse the shipping authorities of collusion with the owners in what has happened—not mere negligence, but collusion with the owners.

So far as the owners are concerned, I can understand what possible motivations they could have had. It may be plain fraud, or it may be criminal negligence. But I am baffled and perplexed at what the Government did and what the shipping authorities did.

Sir, I have seen some parents. Some of them have met me and some of them have written to me. I can understand their agency. In the case of the Boeing aircraft, the parents were grief-striken because they knew that their relatives were lost, that they were dead. But, in this case, the families do not even know whether they are alive or dead. Till this day and even up to this particular point of time, the fate of these forty four crew members is unknown. This statement also does not throw any light on what the Government's assessment is of what has happened.

I notice that in this statement there is a change of words. In the very first paragraph, Sir, the Minister has said that two vessels, M.V. 'Nitya Nanak' and M. V. 'Nitya Ram', belonging to Maini Shipping Company, Bombay have been without radio contact since the 21st of June, 1985, "and are presumed missing at sea." These are the words used: "missing at sea", whereas I have with me a letter written to the father of one of the officers of these ships, Commander Devinder Singh, in which it is said: "I

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regret to say that the extensive search operation failed to find out any trace of the ships or the crew. It is presumed that both the above ships are lost at sea." The words used here are "lost at sea". I am sure that the Minister knows that there is a difference between "missing at sea" and "lost at sea with all the crew members on board.". The owners of the ships, Maini Shipping Company, were naturally interested in seeing that the Government declared these ships as "lost at sea". Because it is only after the Government declares that they were lost at sea that they are able to make any claims for insurance. Without that they cannot do it. I can understand that. But I fail to understand why the Government has been so keen to close the issue.

From the very first day all the searches that were made revealed not a single plank, not a single piece of debris. The Director-General of Shipping is on record saying that this is not an aircraft which can vanish. Even in sinking it needs, half-an-hour, at least.

So far as this Maini Shipping is concerned, I cannot understand how they are functioning. I do not know who they are. But I have gathered that they have a fleet of five ships in all.

Two of these 'Nitya Nanak' and 'Nitya Ram', both have vanished, disappeared.

Then there is another by name 'Nitya Angad', their third ship, which was arrested in Dubai some time back for carrying rotten onions. After release, this 'Nitya Angad' ran into rough weather and has suffered damage.

Then there is another 'Nitya Arjun' the fourth ship, which rammed into a vessel of the Shipping Corporation of India and which is presently undergoing major salvage and repairs. There is the fifth ship by name 'Nitya Amar' which, according to a newspaper report, is now sinking off the coast of Cochin. Now these are the five ships possessed by Maini Shipping.

My first question. According to your report, that 'Nitya Nanak' reported a leak on June 21st and sent a radio message that it was proceeding to Madras. I understand that from that point where it was supposed to be it would take two days for that ship to reach Madras. When it did not reach Madras on June 23, why didn't the D. G., Shipping, take notice of it? Why didn't it immediately go in for an alert and find out what has happened? Why did it wait for the owners to send a message through a peon to a peon and then proceed further? Really speaking, the moment it lost contact we should have been on the alert. It is for the Government to guide me. But as far as I know, the Shipping Corporation of India keeps with itself in its headquarters a position map where it keeps plotting the position of every ship in the Indian seas. Is this true or not? Is there no arrangement to keep track even of ships in our waters? There should be. As far as I know, even mercantile ships are directed to report at least once in 24 hours what is their position, so that in case any assistance is needed, any succour is needed, the Navy can provide it or the DG. Shipping, can provide it. These are matters about which I would like the Government to enlighten me.

My second question is about 'Nitya Ram'. 'Nitya Ram' was due to reach Tuticorin on June, 25th. When it did not reach Tuticorin on June, 25th, what action did the Government take? What action did the Marine Department take? What action did the D.G., Shipping, take? You have stated that on the 27th you started a search. My information is that you asked the Coast Guard to make a search, a random search, without telling them the precise site where those ships are supposed to have been lost. So from the 27th onwards there was a ran-

dom search by the Coast Guard—just a general information to all the ships in that area, in the Bay of Bengal, that two ships are missing, if you have any information please provide us Is it not true that it was only on July. 2nd—which means full eleven days after the ships disappeared—on July 2nd that for the first time the Bombay based Nautical Adviser to the Government of India gave the precise indication of the search area and then the Navy despatched two Illushin aircrafts to survey the area? My allegation is that inordinate delay has taken place in pursuing the matter. In the case of the Boeing accident, the moment we lost radio contact, we went into action. I commend the Government for that. But this case is in sharp contrast, and in distressing contrast. In this case, the human element has been totally ignored. Why were submarines not used at any stage? After all, if the ships had been sunk, for which there is not the slightest evidence till now, the use of submarines may have helped. There is no evidence till date that the ships have been sunk except the fantastic theory put up by Mr. Maini who says in his letter to the Indian Express: "There is no question of negligence on the part of the owner. As far as the coincidence of the ships missing at the same time, it is pointed out that they were plying in the same area and the possibility of their colliding with each other or being overtaken by a sudden tidal wave cannot be ruled out.'"

I am amazed that a person who is regarded as an expert in the field should put forth such fantastic theories of collision of the two ships or of the ships being overtaken by tidal waves. Weather reports are that there was no tidal wave and the weather was quite calm.

My next question. Question No. 4. is this. I would like to know whether the Government of India has seen a news report saying that the Sri Lanka radio has put out a news that these two ships have been seized by elements within Sri Lanka. As this news has appeared over Sri Lanka radio, the Srilankan Government is responsible for it. This news was also published by Lloyd List newspaper from London on the 31st of July. I would like to know what action has been taken by the Government of India to ascertain the facts in this regard since then. Merely saying that we have asked out diplomatic Missions in Sri Lanka about this thing is not enough. I would like to have a categorical answer from the Minister as to what is the responsibility of Sri Lanka Government in these things.

Lastly, is it not true that the seaworthiness of both these ships, Nitya Ram and Hitya Nanak, was in doubt? If so, how was a certificate given to them? How were they allowed to set sail? There are very disturbing reports made by people who have served on them. There is the Kasaragod district in Kerala which has been providing crew for these ships. I have gone through the statements made by some of these people who had been serving earlier on both these ships. There are statements by others who have been serving on these ships in the past. I have seen a letter written by Mr. Wilson to a relation. He was a radio officer on Nitya Nanak. The letter has been published in the Madras edition of the Indian Express. It has been written in the month of May. He says: I have joined Maini Shipping Company. But this ship. Nitya Nanak, is about 5000 metric tonnes in just junk. It has got about 10 to 15 holes. It is in a very bad condition. If I don't like it, I would be giving one month's notice." What is remarkable is the postcript. He adds in this:

"Don't tell Mummy about the state of this ship." This is Wilson's letter to a relation. Such things are galore. Mr. Maini's comment on this is astounding. Mr. Maini said that if the ship was that bad, why did he join it? That is the reply given by

[Shri Lal K. Advani]

Mr. Maini officially in a letter. These are the things which make us worry about the whole process of giving certificates of seaworthiness. Perhaps, it is necessary to amend the law in this regard. But we cannot play with the lives of young men. It is a very difficult field. I know how many of them are qualified but are not able to get jobs and, therefore, they are willing to take jobs anywhere that they get. And in view of this tragedy, is the Government thinking in terms of amending the law in order to ensure that ships that sail in our oceans are seaworthy? Thank you, Sir.

SHRI MUKHTIAR SINGH MALIK (Haryana): Mr. Vice-Chairman, Sir, I am very thankful to the Minister for having given a very comprehensive reply in regard to this episode of the mystery of the two ships. At the same time, Sir, I associate myself with the ideas or with the sentiments expressed by my learned colleague, Shri L.K. Advani. But Sir, he has said that there has been a gross negligence on the part of the Government. The question does not arise. I do not know why Shri Advani had been accusing the Government of negligence in this episode. No doubt, there has been negligence on the part of the owners, not negligence only, Sir, but a criminal negligence on their part. But I cannot also accuse the Mercantile Marine Department as well because as soon as they got the news, a massive search by our Navy through their ships, through Navy helicopters and, as reported in the press, through submarine also had been made for 100 hours in that area. And after scanning the whole area, the Director-General of Shipping had called off the search. Sir, it is very unfortunate, and it is not only an unhappy episode but rather a great tragedy. And, Sir, the two merchant vessel ships belonging to the same company disappearing in the same area and at the same time without any distress signals and without leaving any debris, and that too at a very busy shipping route in the area of Trincomalee has been described by shipping circles as most unusual. As it has been said or it has been expressed by many shipping companies, the ships might have been lost in the sea. Sir, it is also beyond any unreasonable doubt that the ships have been lost by any act of God or by any act of nature since there have been reports from the Meteorological Department that there have been no reports of bad weather for a month in the Bay of Bengal or near Trincomalee in the sea. Sir, it is very unfortunate. At the same time, had it been a case of an act of God or an act of nature and the ships had been lost in the sea, there would have been debris in the shape of mattresses, in the form of planks, life-boats and raft and other floating items and then there would also have been a sheet of oil in that area. Therefore, the possibility of the ships having been sunk in the area through an act of God is entirely excluded. Sir, the ships were seen on the 21st of June, 90 miles off Madras, near Trincomalee. (*Time-bell rings*). Sir, I have not taken even four minutes.

THE VICE-CHAIRMAN (SHRI R. RAMAKRISHNAN): There are a number of speakers. All right, please make your point.

SHRI MUKHTIAR SINGH MALIK: Sir, the captain of the ship had given the distress signal to the Maini Shipping Company. It is very unfortunate that the shipping company had first informed the kith and kin of the crew on the 27th when an explanation had been sought by the wife of the captain, D. K. Puri, about the long silence of her husband at sea and the Maini Shipping Company had sent a message to the Mercantile Marine Department at Madras through some messenger which had been left with a peon. It has been reported by

the knowledgeable circles that the message had been left with a peon in the Marine Department but they took instant action in the matter and they at once informed the Director-General of Shipping, who sought the help of our Navy and a search had been made. Sir, may I ask the Minister whether it is a fact that an appeal had also been made through the lawyers by the kith and kin of the crew to our hon. Prime Minister for conducting a massive search, wherein a suspicion had also been raised that the ships might have been hijacked? In that case, Sir, according to the shipping experts, our Government should have sought the assistance of the Interpol which could have gone into the investigation of this matter.

[The Vice-Chairman (Shri Pawan Kumar Bansal) in the Chair]

Sir, as has been stated by Shri Advani, there is also a doubt about the sea-worthiness of the Maini Shipping vessels. Sir, these vessels have been going to the sea with leakages, with a patch here and a patch there. I do not know whether all these things have been gone into and investigated or not. Here, human aspect is involved; 44 lives are at stake which formed the crew of these two ships. It has been reported—and it is very good—that a report has been lodged with CBI. At the same time I would like to know whether the Government is taking any stern action against this company by debarring this compnay from running its vessels—cargo vessels or other ship—in the sea. Thank you.

SHRI B. SATYANARAYAN REDDY (Andhra Pradesh): Mr. Vice-Chairman, it is the most distressing news causing great anguish and sorrow that two ships, namely, Nitya Nanak commanded by Captain K. D. Puri with a crew of 23 and another ship Nitya Ram commanded by Captain Sharma with a crew of 23 have been lost. It is most disturbing that the authorities concerned had not taken any precautionary measures before these ships left, to ensure that they are safe on the sea. The Minister in his reply tried to put the blame only on the owners. I equally put the blame not only on the owners but also on the Government authorities, whether it is the Director General of Shipping or whoever is the final authority. I don't know; but they are equally responsible for the tragedy, for not checking whether the safety measures had been taken or not when the ships left. The Minister in his reply has said: "Further enquiry revealed that the owners were aware of the defective main transmitter when the vessel was in Colombo. The same could not be repaired due to lack of spare parts. This aspect also was not reported to the authorities." What were the authorities doing? Are those authorities not responsible to see to all these aspects before giving permission to the vessels? Should they not satisfy themselves before giving licences etc. I would like to know from the Minister, what is the responsibility of these authorities. It is only when a tragedy takes place that they make orders for an enquiry. Is it their only function? I would like to know from the Minister the actual duty and responsibility of the shipping authorities.

Secondly, the Government are of the view that owners have not exercised due care. The same thing applies to these authorities. Then in the statement it is given: "Accordingly, Director General of Shipping has lodged an FIR with the Central Bureau of Investigation to investigate the criminal negligence of the owners." If criminal negligence is found on the part of the Director General, who is going to make an enquiry against him? What is his duty? Has he got any machinery to ensure safety measures before such incident occurs? What is the system that we have? I am unable to understand the actual functioning of the Director General of Shipping. I don't know. Let the Minister en-

[Shri B. Satyanarayan Reddy]

lighten this House with regard to actual responsibility and function of the Director General of Shipping.

Then I would like to know from the Minister whether there is any system or some staff to rush immediately some relief ship if any distress signal is received from an incoming or outgoing ship. Have you got any system by which you can find out that a particular vessel is in distress so that you can immediately rush a relief ship? Have you been able to develop a system by which you can immediately rush relief? If you have not been able to develop such a system so far to help a ship which is in danger or in distress, you should make efforts in that direction. Developments are taking place in science everyday. Are you in a position to know the moment a ship is in danger so that you can rush help within a few hours? These are some of the questions to which I would like to have answers from the hon. Minister.

Sir, at the same time, whenever any such incident happens, whether it is in the case of an Indian Airlines or a ship or anything like that, after the event occurs, the Minister and the Government will come out with a lengthy statement, stating all the facts and saying that they are taking all necessary action. This does not serve any purpose. What we would like to know is, what measures are taken by the Government to prevent such things from happening. This is important. You are not here only to report....

SHRI LAL K. ADVANI: One does not know whether it was an accident.

SHRI B. SATYANARAYAN REDDY: We are not here to hear these lengthy statements. We can get from the newspapers better information than what you are furnishing. But what we really want is, Government must take all necessary steps to prevent such things from happening in the future. This is my main question.

SHRI R. RAM KRISHNAN (Tamil Nadu): Mr Vice-Chairman, Sir, the whole story of this Maini Shipping Company makes a very sordid reading, particularly, after my hon. friend, Mr. Advani, has given the full history of the ships owned by this company. Many of the points have already been made. I will confine myself to two or three specific points to which I would like to draw the attention of the hon. Minister.

Sir, the Minister is very much aware that the Indian shipping today is in the throes of a very bad depression from which it has not been able to come out. It is, perhaps, this which has given the whole thing a new colour because many of the shipping companies are very much in the red and huge amounts running into crores of rupees have accumulated to the Shipping Development Fund Committee of the Government of India. It is a very strange coincidence that two ships should disappear at the same time and stranger still is the explanation offered by Captain Maini of the shipping company to newspapers. Sir, here, I am reminded of a story. A person asked a statistician, 'what is the probability of a bomb being on a plane?' The statistician said 'one in a million.' Then, the person asked him 'what is the probability of two bombs being on a plane?', the statistician said 'it is one in billion.' He took one bomb so that the chances will be less. Similarly, a ship disappearing in the mid sea is very remote and that two ships belonging to the same shipping company. Therefore, I suspect, there is something grossly wrong and I really congratulate the hon. Minister, because for the first time, as Mr. Advani has said, Government themselves, in a statement placed before Parliament, have condemned and have come to the conclusion that there is ciriminal negligence on the part of this company.

Sir, there are two more things which add to this theory.

One is that every ship has got life boats, which are inflatable. Secondly, these two ships had auto transmitters which can be activated when the ship is sinking or something like that. The very term 'SOS, save our souls, started in shipping. Again, they have got flares which can go up to one thousand metres, without any lapse of time so that any other ship in the area will be able to know that this particular ship is in distress.

Sir, it is very unfortunate that the Director, Merchantile Marine Department and the Director-General of *Shipping have been in some sort of* complacency which really makes one wonder whether there is some sort of collusion with the whole thing. I would suggest to the hon. Minister who is in charge of shipping and transport that the working of both these departments, the Merchantile Marine Department and the Directorate-General of shipping should be reviewed by the Government of India in depth, because, they are not as alert as they should be. Sir, I would ask a specific question. Does the Minister know that there was one Far-Eastern Regional Investigation Team, FERIT as is called—the Shipping Secretary may tell him—? In the early eighties, they conducted an investigation and they found that 48 vessels were lost in the Indian Ocean, in the South China and these were all part of an organised fraud and they also found that 40 of these large ships were found on the Labanese coast. The same ships which were lost in the Indian Ocean on the South China Sea were after a few months or years, found in Labanese coast abondoned and for resale. What they do is, they change the colour and name and resale it for whatever value. Therefore, at the Maritime Conference which was convened recently at London they demanded that there should be some method by which every ship will have its name and other things intact whereby even if it is stolen and sold, it will be known. Will India, being the maritime member, pursue this matter to see that this type of fraud does not take place. I am saying so because in such matters everyone will be happy. The shipping company will be happy because they will get insurance from Lloyds. Those who have sent cargo of coal or salt will be happy because they will get insurance. The crew member excepting the loss of life which is figurative because the ship is not really lost, will turn up after some time, but in the meantime they will be happy because some of them might be presumed to have been dead and their families will get compensation. So, this is a fit case for involving international agencies in this investigaion apart from the CBI.

I would like to ask the Government of India if it will consider involving Interpol or some other international agency like Lloyds have get their own investigation teams, in this matter.

SHRI SANKAR PRASAD MITRA (West Bengal): Mr. Vice-Chairman, Sir, I crave your indulgence to give me a little time to deal with this case because I am not quite satisfied with the statement which has been made by the hon. Minister.

[Th Vice-Chairman (Shri R. Ramakrishnan) in the Chair.]

Let us hurriedly glance through the facts as they have appeared in the press and as stated by the hon. Minister in the House today. The ships disappeared on the 21st of June. Nitya Nanak was carrying salt from Kandla to Calcutta. Nitya Ram was carrying coal from Calcutta to Tuticorin. On the morning of June 21 the Captain of Nitya Nanak radioed to the owners at Bombay that the ship had developed fresh leaks. There were previous leaks and these were 'fresh' leaks and

[Shri Sankar Prasad Mitra]

the Captain was diverting the ship to Madras. Strangely, Sir, it is reported in the press that the owner instructed the Captain not to divert to Madras, but somehow or other to reach Calcutta. So far as other ship is concerned, if Nitya Ram had left Calcutta on June 16. It disappeared from the busy shipping lane without making any contact with the shore. Then, Sir, the more interesting part begins. For five days, the owners failed to take any action. It was only on the 26th of June that the owners gave information to the Mercantile Marine Department at Madras about these disppearances. No attempt was made by the owners to meet or to contact personally the officials of the deparment. The Mercantile Marine Department took another week to organise a search in the Bay of Bengal by Naval and Coast Guard planes. There was a search for 100 hours but after 12 days and naturally when no results were obtained the search was abandoned. Soon thereafter, the Managing Director of his private limited compay announced payment of compensation to the nominees of the crew.

'Nitya Nanak' had a defective refrigeration system, as I have read in the press, when the ship left Mangalore the 19th of May for Kandla. The ship left Kandla without enough vegetables and other perishable items for a three week journey. Now, one theory was trotted out namely that the narrow lane is heavily partrolled by the Srilankan Navy and the Srilankan Navy might have sunk these ships on the suspicion that they were carrying arms for Tamil militants. The other theory was that the ships were scuttled to claim insurance monies from the insurance companies. Insurance claims are payable to the owners of the ship as well as to the owners of the cargo. The hon. Minister in his statement and this is the cause of my satisfaction has spoken about certain steps which appear to me to have been reluctantly taken by the Central Government. I draw the hon. Minister's attention to part XII of the Merchant Shipping Act. 1958. For instance in sections 357 to 372 extensive powers of investigation and enquiries have been conferred on the Central Government. Then in sections 377 to 381 there are miscellaneous provisions regarding the cancellation or suspension of certification Section 387 gives powers to the Central Government to make reference in difficult cases to scientific personnel. I want to know specifically from the hon. Minister under which sections of this Act, the Central Governmen' proposes to take action in these particular cases because as has already been pointed out by Mr. Ramkrishnan, in the early 80s numerous ships had disappeared in the Indian Ocean and in the South China Sea and it was ultimately discovered to be cases of blatant fraud. Therefore, it is the duty of the Central Govt. to take more vigorous action in these instant cases and let the Minister tell us under which sections of this Act the Central Government proposes to exercises its powers.

THE VICE-CHAIRMAN (SHRI R. RAMAKRISHNAN): I would like to know the view of the House about whether we should continue with the Calling Attention, Skipping lunch because there are eight-nine more speakers on this Motion, or we will continue after five.

SHRI LAL K. ADVANI: We can continue upto 1.30.

THE VICE-CHAIRMAN (SHRI R. RAMAKRISHNAN): The 1-30 rule is only from Monday. But even if we continue till 1.30. it cannot be finished because nine more speakers are there. So would you like to continue after five? All right, we will continue after five. Now before we adjourn for lunch, the hon. Minister for Parliamentary Affairs will make a statement regarding Government business.